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10/525,934	02/25/2005	Klaus Biester	1600-11900	4984

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CONLEY ROSE, P.C.  
PO BOX 3267  
HOUSTON, TX 77253-3267

EXAMINER

BOCHNA, DAVID

ART UNIT	PAPER NUMBER
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3679

SHORTENED STATUTORY PERIOD OF RESPONSE	MAIL DATE	DELIVERY MODE
3 MONTHS	01/16/2007	PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

<b>Office Action Summary</b>	Application No. 10/525,934	Applicant(s) BIESTER, KLAUS	
	Examiner David E. Bochna	Art Unit 3679	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☐ Responsive to communication(s) filed on \_\_\_\_.
- 2a) ☐ This action is FINAL.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-31 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-12, 14-23, 25 and 27-31 is/are rejected.
- 7) ☒ Claim(s) 13, 24 and 26 is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 25 February 2005 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All    b) ☐ Some    c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |  |  |
|--|--|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)  | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. ____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                 | 5) <input type="checkbox"/> Notice of Informal Patent Application                      |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)<br>Paper No(s)/Mail Date ____ | 6) <input type="checkbox"/> Other: ____  |

## **DETAILED ACTION**

### ***Drawings***

1. The drawings are objected to under 37 CFR 1.83(a). The drawings must show every feature of the invention specified in the claims. Therefore, the subject matter of claims 10, 26 and 27 must be shown or the feature(s) canceled from the claim(s). No new matter should be entered.

Corrected drawing sheets in compliance with 37 CFR 1.121(d) are required in reply to the Office action to avoid abandonment of the application. Any amended replacement drawing sheet should include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended. The figure or figure number of an amended drawing should not be labeled as "amended." If a drawing figure is to be canceled, the appropriate figure must be removed from the replacement sheet, and where necessary, the remaining figures must be renumbered and appropriate changes made to the brief description of the several views of the drawings for consistency. Additional replacement sheets may be necessary to show the renumbering of the remaining figures. Each drawing sheet submitted after the filing date of an application must be labeled in the top margin as either "Replacement Sheet" or "New Sheet" pursuant to 37 CFR 1.121(d). If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

### ***Specification***

The following guidelines illustrate the preferred layout for the specification of a utility application. These guidelines are suggested for the applicant's use.

### **Arrangement of the Specification**

As provided in 37 CFR 1.77(b), the specification of a utility application should include the following sections in order. Each of the lettered items should appear in upper case, without underlining or bold type, as a section heading. If no text follows the section heading, the phrase "Not Applicable" should follow the section heading:

- (a) TITLE OF THE INVENTION.
- (b) CROSS-REFERENCE TO RELATED APPLICATIONS.
- (c) STATEMENT REGARDING FEDERALLY SPONSORED RESEARCH OR DEVELOPMENT.
- (d) THE NAMES OF THE PARTIES TO A JOINT RESEARCH AGREEMENT.
- (e) INCORPORATION-BY-REFERENCE OF MATERIAL SUBMITTED ON A COMPACT DISC.
- (f) BACKGROUND OF THE INVENTION.
  - (1) Field of the Invention.
  - (2) Description of Related Art including information disclosed under 37 CFR 1.97 and 1.98.
- (g) BRIEF SUMMARY OF THE INVENTION.
- (h) BRIEF DESCRIPTION OF THE SEVERAL VIEWS OF THE DRAWING(S).
- (i) DETAILED DESCRIPTION OF THE INVENTION.
- (j) CLAIM OR CLAIMS (commencing on a separate sheet).
- (k) ABSTRACT OF THE DISCLOSURE (commencing on a separate sheet).
- (l) SEQUENCE LISTING (See MPEP § 2424 and 37 CFR 1.821-1.825. A "Sequence Listing" is required on paper if the application discloses a nucleotide or amino acid sequence as defined in 37 CFR 1.821(a) and if the required "Sequence Listing" is not submitted as an electronic document on compact disc).

### ***Claim Rejections - 35 USC § 112***

2. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

3. Claims 3, 8-10, 14-23, 25, 27 and 29-31 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

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4. Regarding claim 3, the phrase "in particular" renders the claim indefinite because it is unclear whether the limitations following the phrase are part of the claimed invention. See MPEP § 2173.05(d).
5. Claim 8 recites the limitation "the sliding cams" in line 2. There is insufficient antecedent basis for this limitation in the claim.
6. Claim 9 recites the limitation "the ring" in line 4. There is insufficient antecedent basis for this limitation in the claim.
7. Regarding claim 10, the phrase "in particular" renders the claim indefinite because it is unclear whether the limitations following the phrase are part of the claimed invention. See MPEP § 2173.05(d).
8. Claim 10, line 2, it is unclear what is meant by the phrase "force- and,".
9. Regarding claim 14, the phrase "in particular" renders the claim indefinite because it is unclear whether the limitations following the phrase are part of the claimed invention. See MPEP § 2173.05(d).
10. Claim 14 recites the limitation "adjacent cam rings" in line 3. There is insufficient antecedent basis for this limitation in the claim.
11. Claim 15 recites the limitation "the cam ring" in lines 2 and 4, "the ends" in line 3. There is insufficient antecedent basis for this limitation in the claim.
12. Claim 16 recites the limitation "the cam ring" in line 2. There is insufficient antecedent basis for this limitation in the claim.
13. Claim 17 recites the limitation "each cam ring" in line 2. There is insufficient antecedent basis for this limitation in the claim.

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14. Claim 18 recites the limitation "the pinion" in line 3. There is insufficient antecedent basis for this limitation in the claim.

15. Claim 19 recites the limitation "several electric motors" in line 2 and "the driven shaft" in line 3. There is insufficient antecedent basis for this limitation in the claim.

16. Claim 20 recites the limitation "the cam ring" in line 3. There is insufficient antecedent basis for this limitation in the claim.

17. Claim 21 recites the limitation "different cam rings" in line 3. There is insufficient antecedent basis for this limitation in the claim.

18. Regarding claim 22, the phrase "in particular" renders the claim indefinite because it is unclear whether the limitations following the phrase are part of the claimed invention. See MPEP § 2173.05(d).

19. Claim 22 recites the limitation "the driven shaft and pinion" in line 3. There is insufficient antecedent basis for this limitation in the claim.

20. Claim 23 recites the limitation "the supporting ring" in line 4. There is insufficient antecedent basis for this limitation in the claim.

21. Claim 25 recites the limitation "the wall" in line 2, "the insertion end" in line 2, "the cam rings" in line 4 and "the supporting rings" in line 5. There is insufficient antecedent basis for this limitation in the claim.

22. Claim 27, it is unclear how the indentation can be expanded in the direction of the contact element.

23. Claim 29 recites the limitation "the driven shaft" in line 3, "the pinion" in line 3 and "the cam ring" in line 4. There is insufficient antecedent basis for this limitation in the claim.

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24. Claim 30 recites the limitation "the driven shaft and or bearing shaft and or pinion and or cam ring" in lines 2-3. There is insufficient antecedent basis for this limitation in the claim.

25. Claim 31 recites the limitation "the driven shafts" in line 2. There is insufficient antecedent basis for this limitation in the claim.

***Claim Rejections - 35 USC § 102***

26. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

27. Claims 1-8, 11-12, 23, 27-28 and 30 are rejected under 35 U.S.C. 102(b) as being anticipated by Haeber et al.

In regard to claim 1, Haeber et al. discloses a connecting mechanism (fig. 2-3) for two parts 63, 68, which are at least partially insertable into one another, with a cam-operated component 80, which runs on bearings 102 on the one part (2) and is adjustable between a passive and active position for shifting a number of contact elements 75 between a withdrawal and a contact position, whereby the contact elements 75, when in the contact position, mesh in a retaining indentation 74 on the other part 68, and with a driving device 86 for the adjustment of the cam-operated component 80 between the active and passive position, characterized in that the contact elements 75 are allocated in two or more levels (protrusion of 75 fitting into 74 and protrusion of 75 fitting into 74a) essentially parallel to the insertion direction of the two parts 63, 68 and the cam-operated component 80 for shifting the contact elements 75

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between the withdrawal and contact positions is allocated to each level (80 runs along the entire radially interior surface of 75).

In regard to claim 2, the parts 63, 68 that are insertable into one another are tubular.

In regard to claim 3, this mechanism 80 is arranged in the interior of the one part and, in particular, in its wall 67, whereby the other part 63 can be inserted, with at least one end, into a longitudinal bore hole of, the one part 68.

In regard to claim 4, the cam-operated component 80 presents at least one cam ring 92, rotatably running on bearings 102, with sliding cams 81 on an inner surface of the ring.

In regard to claim 5, that a cam ring 80 is allocated to each level of contact elements (80 extends along the interior radial edge of 75).

In regard to claim 6, the contact elements 75 run in bearings 78 in a supporting ring 55 in such a way that they are adjustable between the withdrawal and contact positions.

In regard to claim 7, a supporting ring 55 is allocated to each level.

In regard to claim 8, the sliding cams 81 are formed on the inner surface of the ring 80 as a link guide.

In regard to claim 11, the contact elements 75 of different levels present contact positions that are shifted in different amounts (depending on how far collar 80 is rotated), at least radially towards the interior.

In regard to claim 12, the contact elements 75 of one level present contact positions that are shifted at least in different amounts (depending on how far collar 80 is rotated) radially towards the interior.



In regard to claim 23, the contact element 75 is formed essentially wedge-shaped 82 running in the direction radially inwards relative to the supporting ring.

In regard to claim 27, the retaining indentation 74 in the other part is expanded in the direction of the contact element 75.

In regard to claim 28, the contact element 75 is essentially formed so that it is claw-or latch-shaped (protrusions fitting into 74, 74a).

In regard to claim 30, the position of the driven shaft 87 and/or bearing shaft (50) and/or pinion (38) and/or cam ring (22) and/or contact element (7, 8, 9) can be registered by means of a position sensor (51) ("can be" makes it an intended use limitation. The drive shaft 87 of Haeber et al. could be fitted with a position sensor).

shifting the contact elements (7, 8, 9) between the withdrawal and contact positions (10, 11) is allocated to each level (14, 15, 16).

#### *Allowable Subject Matter*

28. Claims 13, 24, 26 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

29. Claims 9-10, 14-22, 25, 29 and 31 would be allowable if rewritten to overcome the rejection(s) under 35 U.S.C. 112, 2nd paragraph, set forth in this Office action and to include all of the limitations of the base claim and any intervening claims.

#### *Conclusion*

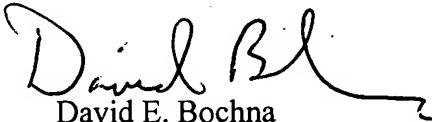
30. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Ferguson discloses a similar coupling common in the art.

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31. Any inquiry concerning this communication or earlier communications from the examiner should be directed to David E. Bochna whose telephone number is (571) 272-7078. The examiner can normally be reached on 8-5:30 Monday-Thursday and every other Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Daniel P. Stodola can be reached on (571) 272-7087. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

  
David E. Bochna  
Primary Examiner  
Art Unit 3679